

**THE BILL BLACKWOOD  
LAW ENFORCEMENT MANAGEMENT INSTITUTE OF TEXAS**

**Protocol For Line-of-Duty Deaths: Preparations For  
Family and Coworker Assistance and Funeral Planning**

A Policy Research Project  
Submitted in Partial Fulfillment of the  
Requirements for the Professional Designation  
Graduate Management Institute

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February 1998

## **ABSTRACT**

This policy research paper addresses two issues related to the line-of-duty death of a law enforcement officer. The first issue is the lack of a policy for funeral arrangements. The second issue is that lack of emotional support for co workers and surviving family members. The purpose of the research was to collect information and conclusions of researchers and authors regarding the importance of being prepared for the line-of-duty death crisis.

Sources used in this paper are books, periodicals, and surveys. The authors shared the conclusions that law enforcement agencies must prepare themselves for a line-of-duty death. The preparations must be in writing and include the task of funeral preparations and emotional support. The authors offered guidelines to agencies interested in implementing a policy and those guidelines are noted in this paper.

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## **Introduction**

The purpose of this paper is to present the importance for every law enforcement agency to prepare itself for crisis. Every law enforcement agency must be prepared to effectively deal with the line-of-duty death of one of its officers. Providing for the needs of the officer's family survivors and work place survivors is of paramount importance. Additionally, a law enforcement agency must prepare for the challenge of preparing for a funeral; law enforcement agencies will fail to meet these needs if they are not prepared. These responsibilities begin before the death notification to the next of kin. The responsibilities include coordinating the funeral, which can be logically complex in itself (Law and Order 12).

In March 1997, a League City police officer survived a confrontation with an intoxicated, mentally unstable man. The man was armed with a shotgun. The officer was able to draw his weapon and kill the suspect before the suspect leveled the shotgun at the officer. The League City Police Department has neither a funeral policy nor a line-of-duty death policy. Had the officer been unsuccessful in his attempt to survive an armed encounter, the League City Police Department was unprepared to provide for the emotional needs of the officer's family, his coworkers and to coordinate the funeral with the family.

In 1985, only one third of 188 agencies surveyed were prepared for the line of-duty death of an officer (Patterson 6). In April 1997, officers from 23 Texas law enforcement agencies attending a LEMIT class were surveyed regarding their agencies' policies and procedures for the line-of-duty death of one of their officers. Only 5 of 23 agencies (22%), had a policy or procedure in place.

This paper will educate law enforcement agencies of the importance of designing a comprehensive policy addressing a line-of-duty death. Being unprepared for the death of one of its officers, the City of League City does not stand alone. A law enforcement agency's policy must reflect the department's awareness that its employees need as much assistance as the family of the deceased officer. The policy will provide the justification for the creation of a Funeral Policy or Standard Operating Procedure.

Sources reviewed for this paper are gathered from current policies of law enforcement agencies, manuals from law enforcement agencies, articles from various law enforcement periodicals, books and past policy research projects of the Law Enforcement Management Institute of Texas.

The intended outcome of this paper will be a greater awareness for the need of a comprehensive policy addressing the preparations for the aftermath of a line-of-duty death. It will serve as an outline of considerations that can be adapted or expanded as needed by any law enforcement agency,

## **Historical, Legal or Theoretical Context**

It is the tragic nature of law enforcement in this country that members of law enforcement agencies at all levels of government risk injury or death in the courses of their duties. Law enforcement officers across the country are slain regardless of population size. Unfortunately, far too many agencies are unprepared for the devastating loss of one of their own. "Historically, departments of large cities, which suffer the greatest number of police killings and fatal accidents each year, are more apt to have general orders covering line-of-duty deaths" (Rachlin 131).

Since 1794, there have been over 30,000 peace officers killed in the line-of duty (Patterson 2). Their agencies prepared for and participated in a funeral and provided for the immediate needs of the deceased officer's family. However, a recent National Institute of Justice study found that 67% of the police departments surveyed had no formal policy concerning the actions to be taken if an officer dies in the line-of-duty (Patterson 6). Today, an officer dies in the line of -duty every 57 hours (American Police Hall of Fame Newsletter 13).

Another issue of concern is the fact that very few agencies provide any assistance to their employees or to the deceased officer's family survivors. Most departments tend not to consider the emotional or psychological needs of survivors to be part of their responsibility (Constant 76). The number of

agencies surveyed who provide emotional or psychological assistance to a deceased officer's other family, co-workers is disappointing. Only 43% of the 188 departments surveyed provide stress management counseling and 58% provide psychological assistance through an Employee Assistance Program. In 1967, Elizabeth J. Slotkin had the foresight to note that employee assistance services should be facilitated as part of a fringe benefit package that includes psychiatric care insurance (Slotkin 2).

When an officer dies in the line-of-duty there arise a number of legal issues. Family members are not aware of all the benefits an officer is eligible to receive. How to apply for the benefits and what public agency or private organization to contact is of little concern until the aftermath of the tragedy. Preparation is the key to obtaining benefits with minimum difficulty. Francis Stillman suggests:

"Helping officers prepare a will or informing them of the necessity for such planning, keeping up-to-date records of next of kin, providing encouragement to update these records, and asking officers to indicate special circumstances of individuals to be included in the event of a crisis can save the family additional pain and trauma during the crisis, when the survivors are not prepared to make important decisions (97)."

Stillman found that a paltry 5% of law enforcement agencies assist or encourage officers in the preparation of a will.

Because the legal issues may be confusing to survivors, some authors suggest that the survivors employ an attorney to assist them. According to

Cortez many police associations retain private attorneys for families not having a family attorney (9). Legal assistance may also be required when determining the proper release of the deceased officer's personal belongings and other potentially awkward predicaments, such as the conflicting wishes of an ex-wife or grown children (McClain 78). When utilizing the complementary services of a city attorney the survivors must be made aware that a law suit may arise between the family and the jurisdictional government thus creating a conflict of interest (Cortez 11). To avoid legal conflicts and unnecessary legal costs, the police agency should present the survivor's family with a prepared packet containing all the sources of benefits and the forms to apply for the benefits.

### **Review of Literature or Practice**

On the subject of line-of-duty death funerals and assistance for employees and survivors, there is but one authoritative study. In 1985, Francis Stillman, Project Director of Concerns of Police Survivors (C.O.P.S.), working under a grant from the United States Department of Justice, National Institute of Justice conducted a national survey of police agencies' procedures, services and policies on line-of-duty deaths. Stillman's findings were later published by Concerns of Police Survivors (C.O.P.S.) in a handbook for law enforcement agencies.

In 1967, Elizabeth J. Slotkin conducted a survey limited to the Chicago metropolitan area on mental health related activities of companies and unions.



Although Ms. Slotkin did not include public agencies in her survey, specifically, police departments, she did note the necessity for companies to address the mental health of their employees. She also predicted, incorrectly, that "Even a crisis intervention unit ("psychiatric first aid") with limited objectives would probably be far too costly an undertaking for small agencies employing less than 1000 persons" (Slotkin 2).

Stillman stated in his 1985 document that a staggering 67% of law enforcement agencies lacked formal policies concerning the death of an officer (Sawyer 1). He also stated that department policies give the least attention to immediate or long-term emotional or psychological assistance. Of the agencies surveyed, 18% paid for an employee's counseling. Today, 33% of large U.S. companies have an Employee Assistance Program.

Stillman also noted that polices of some departments did not even mention the line-of-duty death and that some departments see their responsibility as being narrowly defined. Some departments, especially the smaller ones may not see the need to have any formal policy developed, since they rely on community support and assistance for helping the survivors. Even departments with psychologists on staff, responded that they rarely provided counseling for the family.

A unit or designated officer within the agency to assist survivors was infrequently reported in the survey, but recommended by Concerns of Police Survivors (Sawyer 6). Sawyer also suggests that it might be beneficial to have the psychologist see the entire family for one "supportive service" session shortly after the funeral (Sawyer 7).

In his article, Chief Hueston realized that his department needed established written policies on line-of-duty deaths, after one of his officers was killed (19); his guidelines are consistent with the results of Stillman's document. The cities of Toledo; Metro Transit Police Department Washington, DC; and Norman, Oklahoma, have written their policies following the C.O.P.S. guidelines.

The conclusions reached by Stillman, Sawyer, Constant, Rachin and Slotkin support the fact that Employee Assistance Programs are a necessary part of health benefits for employees. The conclusions reached by Sawyer, Hueston, Constant, McClain, and Patterson support the assertion that having written policies and procedures in place for the line-of-duty death of an officer is critical.

Several authors comment on both the advantages and disadvantages of an attorney's immediate involvement, before and after a funeral. Cortez cautions that survivors should not rely on private consultants or attorneys to work on the benefits, because of the expense (9). He suggests that police personnel should handle only official benefits that come through the department (9). Porth and

Geiger state that the benefits available from Federal State and private organizations may be confusing to most survivors (14). McClain states that a police legal advisor or legal representative of the governmental agency should be part of a funeral coordination team to settle disputes over funeral arrangements: and determining the proper release of personal property (78). Stillman states that proper planning by officers in the event of their deaths and proper planning by the agency can eliminate the need for attorney's to assist survivors (97).

### **Discussion of Relevant Issues**

Too many law enforcement agencies do not have written policies and procedures in place to deal with the tasks and emotional needs following a line of-duty death. It is only fitting that the final tribute to an officer should be accomplished in a well-organized, impressive, and dignified fashion (McClain 82). The key to a successful employee survivor support operation for public safety organizations, is preparation and planning (Porth and Geiger 12).

Law enforcement agencies must also prepare for the emotional needs of the deceased officer's "police family." Constant states:

"The implications for threat are radically different from those of loss, both surviving public safety employees and for their families. For workers and families alike, the pervasiveness of danger and risk in the line-of-duty is usually met by denial and suppression; when the realization of these factors cannot be avoided, rationalizations like "it can't happen to me" form the primary defense. Line-of-duty deaths, serious injuries, or similar critical incidents render those defenses woefully inadequate, and leave the

surviving officers and their families face-to-face with the proximity and the extent of their peril (Constant 85)".

Even the surviving family members of the deceased officer are concerned about co-workers (Sawyer 10). Sawyer further states that a department must provide emotional support for partners, shift co-workers, station clerks and dispatchers (Sawyer 10).

Surviving members of a public safety officer may be more at risk than other survivors after their loss (Constant 73). Administrators may argue that their governmental agencies do not have the resources to address the emotional needs of the families of deceased officers. Providing immediate and long term support to the surviving family members is the most overlooked of services provided to the survivor (Constant 73). Studies have shown that family members may later suffer from post traumatic stress symptoms (Sawyer 7). The grief process has no time table and many survivors may experience a complicated grief process; in fact, research conducted by C.O.P.S. has shown that over 50% of surviving spouses develop symptoms of post traumatic stress reaction to the tragedy (Sawyer 7). Although he refers to employee assistance programs as organizational social work, Kurzman points out an organization's obligation to fund the program, "comes not only from responsibility to the individual so affected, but from the profession's mandate to help fit the environment to the individual and from the organizational role assigned to the social worker" (Kurzman 96).

Most agencies have developed a more compassionate view of their employees. Departments have begun to recognize the consequences of the stress of police work on the officers and family unit (Stillman 98). By creating written policies and procedures agencies also demonstrate a compassion for their employees and create an environment of certainty when roles and responsibilities are understood. This guidance will eliminate heartache and confusion and act as a support mechanism *for* the survivors (Rachin 131). These policies and procedures are the start of recovery and growth *for* both coworkers and survivors (Constant 88).

Perhaps the most significant selling point *for* demonstrating the need to be prepared is that administrators will, in the long run, improve services to citizens (Constant 1).

## **Conclusion/Recommendations**

The purpose of this research was to demonstrate to any law enforcement agency the importance of being prepared *for* the line-of-duty death of one of its officers. There are agencies without written policies and/or procedures to adequately manage the funeral ceremony and provide *for* the emotional needs of the deceased officer's family and the co-workers of the officer. Kathleen Young, past president of C.O.P.S. stated, "If there is a department that still does

not have a general order pertaining to line-of-duty deaths they are not thinking about their own family". (Rachlin 135)

By having the written policies and procedures in place an agency will be able to meet the challenge of planning and organizing an impressive and dignified ceremony. In small agencies the guidelines will be welcomed by fellow officers, other co-workers and survivors who act while in emotional and distraught frames-of-mind. Providing mental health services for employees or survivors demonstrates the agency's care and compassion for its employees and their families. The effects of a line-of-duty death may be long term and will affect the performance of other employees.

Authors and researchers agree that it is imperative that agencies be prepared for this kind of crisis. In addition to writing policies and procedures they suggest that an agency create a unit or designate one person to prepare for the immediate needs of the department and survivors. The unit or designee will direct the preparations for the funeral while coordinating the ceremony with the surviving family. The unit or designee will also have know how the survivors will apply for the death benefits and from which state agencies, federal agencies or private organizations the benefits may be obtained. By addressing the need for such services and providing the resources to obtain them the agency will provide a better service to the community and their own employees.

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